REMARKS/ARGUMENTS

Reexamination and reconsideration of this application, withdrawal of the rejection, and formal notification of the allowability of all claims as now presented are earnestly solicited in light of the above amendments and remarks that follow.

Claims 1-4 are pending in the application. Claim 1 has been amended to clarify that the Q functional group is a functional group other than an acrylate group. Further, the hydrolytically unstable linkage, W, is now described as a linkage that hydrolyzes at pH 7 and 37°C. Support for these amendments may be found throughout the specification. For example, hydrolytically unstable linkages are described on page 8 of the specification (paragraph 33), and the specific hydrolysis conditions added to claim 1 are noted in paragraph 54 on page 14. The clarification of Q as being a functional group other than an acrylate group is clearly described throughout the specification, which consistently describes the claimed compound as heterobifunctional with one terminus including an acrylate group. Thus, the Q group necessarily must be something other than an acrylate group in order to form a heterobifunctional molecule. The heterobifunctional nature of the claimed molecule is described, for example, in paragraphs 20 and 21 on page 5, in the definition of heterobifunctional in paragraph 34 on page 8, and in the list of Q functional groups in paragraph 42 on page 10 (which does not include acrylates). It is respectfully submitted that these amendments do not add new matter and place the application in condition for allowance.

Applicants appreciate the Examiner's time in a telephonic interview conducted on December 6, 2006. During the interview, the pending claim rejections were discussed, as well as the teachings of the references cited in the obviousness rejection. The claim amendments set forth herein were also discussed. The Examiner indicated that the claim rejections would be reconsidered in view of these amendments.

Claims 1-3 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner objects to the term "heterobifunctional" as unclear. Applicants respectfully traverse this rejection.

As noted above, in order to expedite prosecution, Applicants have amended the pending claims to recite that the Q functional group is a functional group other than an acrylate group. This amendment further clarifies the heterobifunctional nature of the compound, although it is viewed as being a non-limiting amendment since the term "heterobifunctional" is well understood in PEG chemistry. Nonetheless, in light of this clarifying amendment, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1-4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the previously-cited combination of the Yokoyama patent, the Yang *et al.* reference, and the Greenwald *et al.* patent. Applicants respectfully traverse this rejection.

As noted in the previous response and discussed in the telephonic interview, Applicants respectfully submit that none of the structures set forth in the Yokoyama patent are remotely related to the presently-claimed subject matter, since none include two polymeric segments separated by a hydrolytically unstable linkage and none can be viewed as a heterobifunctional acrylate-terminated polymer. For example, there are no examples in the Yokoyama patent of any molecules wherein two PEG polymer segments are separated by any of the linkages set forth in claim 3.

In fact, the Yokoyama reference is directed to the art of solid electrolytes and repeatedly emphasizes the need for high ionic conductivity and high electrochemical stability. Since chemical stability is one of the most important characteristics set forth in Yokoyama, it stands to reason that one of ordinary skill in the art would not view a polymer structure including hydrolytically unstable linkages as desirable in the Yokoyama application.

Further, it is noted that the Yang reference also emphasizes the stable nature of the compositions described therein. The express goal of the Yang study is to produce "solvent-stable enzymes" by modifying the enzyme with a PEG molecule. There is no discussion in the Yang reference of utilizing polymer structures deliberately designed to breakdown in an aqueous system, and certainly nothing in the Yang reference to suggest modification of the Yokoyama polymer molecules to include hydrolytically unstable linkages.

There is also simply nothing in the cited references to motivate one to combine the teachings of the Greenwald reference with the Yang or Yokoyama references. As noted above, the Yokoyama reference is directed to solid electrolytes for use in batteries. The Greenwald reference is directed to high molecular weight prodrugs. The teachings of the two references are in fields so disparate that it is extremely unlikely that one of ordinary skill in the art would view the references as combinable in any manner.

However, even if the references were properly combinable despite the significant differences in the fields of use discussed, it is clear that one of ordinary skill in the art would be strongly disinclined to amend the teachings of Yang or Yokoyama to include hydrolytically unstable linkages because both references emphasize chemical stability as desirable attributes of the compositions described therein (see abstract of both Yokoyama and Yang references).

It is also noted that the Greenwald patent is directed to prodrugs where the unstable linkage is at the terminus of the PEG chain between the polymer and the drug moiety, which is necessary for the conjugate to release the native drug molecule and be considered a "prodrug." Even if one of ordinary skill in the art were motivated to combine such linkages with the teachings of the Yokoyama reference, which Applicants obviously do not admit, the resulting structure would still not impact the present claims because the unstable linkage would not be between two polymer segments as required by the present claims. In light of the foregoing, Applicants respectfully request reconsideration and withdrawal of this rejection.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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